

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HARVARD REAL ESTATE-ALLSTON,)	
INC.,)	
)	
Plaintiff,)	
)	Civil Action No. 04-CV-12249-DPW
v.)	
)	
KMART CORPORATION,)	
INC.,)	
)	
Defendant)	
)	

**STIPULATION TO EXTEND DATE TO ANSWER
DISCOVERY PROPOUNDED BY PLAINTIFF TO DEFENDANT**

The Plaintiff, Harvard Real Estate-Allston, Inc., and the Defendant, Kmart Corporation, Kmart Store 9424, by their attorneys, hereby stipulate and agree that the Defendant shall have until and including December 7, 2004 to answer the discovery previously propounded by the Plaintiff, as follows:

1. Plaintiff's Interrogatories to Defendant Kmart Corporation, Kmart Store 9424;
2. Plaintiff's Requests for Production of Documents to Defendant Kmart Corporation, Kmart Store 9424;

3. Plaintiff's Requests for Admissions to Defendant Kmart Corporation, Kmart Store 9424.

Respectfully submitted,

HARVARD REAL ESTATE
ALLSTON-INC.

By its attorneys,

/s/Frank A. Flynn

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Respectfully submitted,

KMART CORPORATION,
KMART STORE 9424

By its attorneys,

/s/William R. Moorman, Jr.

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Dated: November 23, 2004